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and The ResCap Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

_____	)	
In re:	)	Case No. 12-12020 (MG)
	)	
RESIDENTIAL CAPITAL, LLC, <u>et al.</u> ,	)	Chapter 11
	)	
Debtors.	)	Jointly Administered
_____	)	

**AMENDED<sup>1</sup> PROPOSED AGENDA FOR MATTERS SCHEDULED  
TO BE HEARD ON FEBRUARY 10, 2016 AT 10:00 A.M. (EST)**

Location of Hearing: United States Bankruptcy Court for the Southern District of New York,  
Alexander Hamilton U.S. Custom House, Courtroom 501, One Bowling Green, New York, NY  
10004-1408

**I. ADJOURNED MATTER(S):**

1. ResCap Liquidating Trust's Objection to Proofs of Claim Nos. 4406 and 4408 Filed by Brookfield RPS LLC [Docket No. 9327]

**Related Document(s):**

- a. Notice of Filing of Stipulation Adjourning Hearing on ResCap Liquidating Trust's Objection to Proofs of Claim Nos. 4406 and 4408 Filed by Brookfield RPS LLC and Extending Response Deadline in Connection Therewith [Docket No. 9384]

<sup>1</sup> Amended items appear in **bold**.

- b. Notice of Filing of Second Stipulation Adjourning Hearing on ResCap Liquidating Trust's Objection To Proofs of Claim Nos. 4406 and 4408 Filed by Brookfield RPS LLC and Extending Response Deadline In Connection Therewith [Docket No. 9565]

**Response(s):** None.

**Status:** The hearing on this matter has been adjourned to March 22, 2016.

## **II. UNCONTESTED AND RESOLVED MATTER(S)**

- 2. ResCap Liquidating Trust's Ninety-First Omnibus Objection to Claims ((A) No Liability Borrower Claims and (B) Reduce and Allow Claims) [Docket No. 9478]

**Related Document(s):**

- a. Certificate of No Objection Regarding The ResCap Liquidating Trust's Ninety-First Omnibus Objection to Claims ((A) No Liability Borrower Claims and (B) Reduce and Allow Claims) [Docket No. 9590]
- b. **Order Granting the ResCap Liquidating Trust's Ninety-First Omnibus Objection to Claims ((A) No Liability Borrower Claims and (B) Reduce and Allow Claims) [Docket No. 9604]**

**Response(s):** None.

**Status:** The order on this matter has been entered by the Court. No hearing is required.

## **III. UNCONTESTED MATTER(S)**

- 3. Motion by Plaintiffs Landon Rothstein, *et al.*, Pursuant to Fed. R. Bankr. P. 7023 and 9019 for an Order: (I) Preliminarily Approving the Class Action Settlement with Respect to Plaintiffs' Bankruptcy Proofs of Claim, (II) Certifying the Settlement Class and Appointing Class Representatives and Class Counsel for Purposes of the Settlement, (III) Approving the Form and Manner of Notice to the Class, (IV) Scheduling a Fairness Hearing, and (V) Appointing a Settlement Administration [Docket No. 9491]

**Related Document(s):**

- a. Letter to The Honorable Martin Glenn Transmitting a Courtesy Copy of the Motion Pursuant to Fed. R. Bankr. P.7023 and 9019 for an Order: (I) Preliminarily Approving the Class Action Settlement with Respect to Plaintiffs' Bankruptcy Proofs of Claim, (II) Certifying the Settlement Class and Appointing Class Representatives and Class Counsel for Purposes of the Settlement, (III) Approving the Form and Manner of Notice to the

Class, (IV) Scheduling a Fairness Hearing, and (V) Appointing a Settlement Administration [Docket No. 9493]

- b. **Certificate of No Objection to Motion by Plaintiffs Landon Rothstein, et al., Pursuant to Fed. R. Bankr. P. 7023 and 9019 for an Order: (I) Preliminarily Approving the Class Action Settlement with Respect to Plaintiffs' Bankruptcy Proofs of Claim, (II) Certifying the Settlement Class and Appointing Class Representatives and Class Counsel for Purposes of the Settlement, (III) Approving the Form and Manner of Notice to the Class, (IV) Scheduling a Fairness Hearing, and (V) Appointing a Settlement Administration [Docket No. 9606]**
- c. **Order Preliminary Approving Proposed Settlement with the Rothstein Plaintiffs and Providing for Notice [Docket No. 9609]**

**Response(s):** None.

**Status:** A hearing on this matter will not be going forward. The Court has entered a preliminary approval order.

**IV. CONTESTED MATTER(S)**

- 4. ResCap Liquidating Trust's Omnibus Motion to Enforce Injunctive Provisions of Plan and Confirmation Order [Docket No. 9489]

**Related Document(s):** None.

**Response(s):**

- a. Opposition and Objection [of Christopher Martinez] to ResCap Liquidating Trust's Omnibus Motion to Enforce Injunctive Provisions of Plan and Confirmation Order [Docket No. 9575]
- b. **Objections [of Marilyn Lawrence] to ResCap Liquidating Trust's Omnibus Motion to Enforce Injunction of Plan and Confirmation Order [Docket No. 9576]**

**Reply:**

- a. Reply of the ResCap Liquidating Trust in Further Support of Its Omnibus Motion to Enforce Injunctive Provisions of Plan and Confirmation Order [Docket No. 9594]

**Status:** The hearing on this matter will be going forward.

**V. CASE MANAGEMENT CONFERENCE**

- 5.** ResCap Borrower Claims Trust's Objection to Proofs of Claim Filed by Frank Reed and Christina Reed Pursuant to Section 502(b) of the Bankruptcy Code and Bankruptcy Rule 3007 [Docket No. 7017]

**Related Document(s):**

- a.** Notice of the ResCap Borrower Claims Trust's Objection to Proofs of Claim Filed by Frank Reed and Christina Reed Pursuant to Section 502(b) of the Bankruptcy Code and Bankruptcy Rule 3007 [Docket No. 7018]
- b.** Order Sustaining in Part and Overruling Without Prejudice in Part the ResCap Borrower Trust's Objection to the Reed Claims and Setting Evidentiary Hearing [Docket No. 7246]
- c.** Letter to Judge Glenn from Frank Reed Regarding Request for Mediation [Docket No. 7302]
- d.** Letter of the ResCap Borrower Claims Trust in Response to Request of Frank Reed for Pending Claim Dispute Between the Parties be Submitted to Alternative Dispute Resolution [Docket No. 7303]
- e.** Order Concerning Contested Matter for Claims of Frank and Christina Reed [Docket No. 7314]
- f.** Motion for Partial Reconsideration of the July 11, 2014 Order [ECF Doc. #7246] Sustaining in Part and Overruling in Part the ResCap Borrower Trust's Objection to Proof of Claim Nos. 3708 and 3759 Filed by Frank Reed and Proof of Claim Nos. 4736 and 4759 Filed by Christina Reed [Docket No. 7317]
- g.** Declaration of Frank Reed Submitted in Connection with Motion for Reconsideration of July 11, 2014 Order [ECF Doc. #7246] [Docket No. 7318]
- h.** Order Denying Motion for Reconsideration [Docket No. 7319]
- i.** Order Precluding Claimants from Introducing Testimony of Christina Reed at Evidentiary Hearing [Docket No. 7387]
- j.** Memorandum Endorsed So Ordered Letter Regarding Discovery in Reference to the Reed Matter [Docket No. 7396]
- k.** Order Granting in Part and Denying in Part ResCap Borrower Claims Trust's Motions In Limine to Exclude Certain Expert Evidence from Contested Evidentiary Hearing Concerning Claims of Frank and Christina Reed [Docket No. 7499]

- l.** Pretrial Memorandum Filed by Frank Reed [Docket No. 7504]
- m.** The ResCap Borrower Claims Trust's Motion In Limine to Exclude the Expert Testimony of Dr. Jay I. Sussman [Docket No. 7515]
- n.** Opposition of Claimants Frank J. Reed III and Christina Reed to ResCap Borrower Claims Trust's Motion In Limine to Exclude the Expert Testimony of Christy Zoltun Donati, Esq. [Docket No. 7543]
- o.** Opposition of Claimants Frank J. Reed III and Christina Reed to ResCap Borrower Claims Trust's Motion In Limine to Exclude the Expert Testimony of Louise Carter [Docket No. 7544]
- p.** Memorandum Opinion and Order Determining the Amount of Allowed Claim of Frank and Christina Reed [Docket No. 7619]
- q.** Notice of Appeal Filed by Christina Reed and Frank Reed [Docket No. 7674]
- r.** Statement of Issues and Designation of Record by Appellants Frank Reed and Christina Reed Pursuant to Federal Rule of Bankruptcy Procedure 8006 [Docket No. 7715]
- s.** Memorandum Opinion and Order by Judge Gregory H. Woods regarding Notice of Appeal Filed by Christina Reed and Frank Reed [Docket No. 9473]
- t.** Order Scheduling Case Management Conference Concerning the Remaining Claim of Frank Reed [Docket No. 9523]
- u.** Notice of Appeal to the Second Circuit Court of Appeals (2d. Cir. 16-282) [Docket No. 1]
- v.** Notice of Motion for Stay Pending Appeal (S.D.N.Y. 15-cv-02375) [Docket No. 19]
- w.** Frank Reed's Cognizable Damages Statement [Docket No. 9598]

**Response(s):**

- a.** Response [of Frank and Christina Reed] to Debtors' Objection to Proofs of Claim [Docket No. 7153]
- b.** Opposition of Claimants Frank J. Reed III and Christina Reed to ResCap Borrower Claims Trust's Motion In Limine to exclude the Export Testimony of Evan D. Hendricks [Docket No. 7505]

**Reply:**

- a. The ResCap Borrower Claims Trust's Reply in Support of its Objection to Proofs of Claim Filed by Frank Reed and Christina Reed Pursuant to Sections 502(b) of the Bankruptcy Code and Bankruptcy Rule 3007 [Docket No. 7228]
- b. The ResCap Borrower Claims Trust's Pre-Trial Memorandum [Docket No. 7494]

**Status:** The case management conference on this matter will be going forward.

Dated: February 9, 2016  
New York, New York

/s/ Norman S. Rosenbaum  
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